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Attorneys for Defendants  
PROTIVA BIOTHERAPEUTICS, INC.  
and MARK J. MURRAY

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SIRNA THERAPEUTICS, INC.,

Plaintiff,

v.

PROTIVA BIOTHERAPEUTICS, INC.,  
and MARK J. MURRAY,

Defendants.

Case No. C 06-01361 MMC

**JOINT STIPULATION AND**  
**~~PROPOSED~~ ORDER TO CONTINUE**  
**CASE MANAGEMENT CONFERENCE**

1 The parties herein, by and through their counsel of record, hereby stipulate and agree as  
2 follows:

3 WHEREAS, because the parties are currently negotiating in good faith to resolve their  
4 dispute without legal recourse, the parties respectfully request the Court to continue the initial  
5 Case Management Conference and associated dates.

6 NOW, THEREFORE, the parties request that the Court order the following:

7 (1) on or before September 8, 2006, the parties will meet and confer, in person, to  
8 establish a case management schedule;

9 (2) on or before September 22, 2006, the parties will file a Joint Case Management  
10 Statement with the Court, which shall either propose deadlines that have been agreed to by the  
11 parties or shall set forth each of the parties' separate views on the deadlines to be established;  
12 and

13 (3) the Case Management Conference is continued to September 29, 2006.

14 SO STIPULATED.

15 Dated: July 10, 2006

O'MELVENY & MYERS LLP

17 By: /s/ Meredith N. Landy  
18 Meredith N. Landy

19 Attorneys for Plaintiff  
SIRNA THERAPEUTICS, INC.

21 Dated: July 10, 2006

ORRICK, HERRINGTON & SUTCLIFFE LLP

23 By: /s/ Elizabeth A. Howard  
24 Elizabeth A. Howard

25 Attorneys for Defendants  
PROTIVA BIOTHERAPEUTICS, INC.  
26 and MARK J. MURRAY

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**CERTIFICATION OF CONCURRENCE**

I hereby attest that concurrence in the filing of this document has been obtained from counsel for defendants, Elizabeth A. Howard.

Dated: July 10, 2006

O'MELVENY & MYERS LLP


By: /s/ Meredith N. Landy  
Meredith N. Landy

Attorneys for Plaintiff  
SIRNA THERAPEUTICS, INC.

**ORDER**

IT IS SO ORDERED.

Dated: July 11, 2006

  
The Honorable Maxine M. Chesney  
United States District Judge

MP1:984229.1